### NC (1:07)

**First:** we exist by willing ends since it allows us to conceptualize ourselves as determinate; this requires there be rational others. If this were not true the external world governed by laws would causally necessitate how I act, so I could not be free. This outweighs the aff a. we can not have obligations if our ends are causally determined, b. freedom’s the only non-divorceable aspect of yourself, I can decide not to be a doctor, but any choice requires I be free, and respect you are as well.

**Next**, ought claims are constructivist-ethics can’t tell us to apply knowledge of the good since that requires endless regression of rules, i.e. what counts as correct application, what metric we use for determining what is correct application, etc. The nature of identity is the source of moral conflicts – this means the AC answers the wrong sort of moral question – this outweigh - the NC functions on the highest level since the function of ethics determines what counts as offense; what is good does not tell us what is moral.

**And,** reason requires that maxims be universalizable- facts are common knowledge for all since we use a shared perspective to make judgments-reason is impartial – no one adding 2 and 2 wouldn’t get 4 if they follow the rules

**Next,** I cannot unilaterally impose my freedom on you – when I set an end I have an expectation you will respect my desire to set it and thus have your own needs, if I violate your freedom, I can not expect you will respect mine so we must impose reciprocal constraints.

Thus the standard is maintaining a system of equal freedoms. Freedom isn’t fungible – just as two circular triangles are as contradictory as one, multiple freedom violations are illegitimate. Contradictions aren’t aggregative

A system of equal freedoms is impossible without property rights: A. Individuals must be able to set, rather than merely desire ends – since any end requires interaction with the external world, ability to have an exclusive claim to an object is necessary to have the ability to decide to act, otherwise they’d have no expectation others would enable their action and freedom would be impossible. B. The only legitimate constraint on freedom is an action that intrinsically violates the freedom of others, but since objects aren’t agents an intrinsic violation is impossible.

### 1

A. Interpretation: if debaters read a burden of “\_\_\_prop rights burden\_\_\_” all aff offense must link back to one comprehensive normative framework delineated in the AC via a standard or criterion text.. To clarify, they may not have floating pieces of offense that property rights are unjust that function under multiple different frameworks.

B. Violation: the aff is just so much floating offense *[cite args]*

C. Standards

1. reciprocity-I have a proactive burden of proof to prove that property rights exist and are justified-you just have to win one argument out of the AC or the 1AR that is defense on my framework in order to prove they don’t exist-all of the arguments are just NIBs for me that I have to answer or else I lose. Kills fairness because we don’t have equal access to the ballot. Impacts: A) outweighs other abuse claims-it’s a structural fairness violations that prevent me from even accessing a layer, B) one comprehensive framework is key-the burden becomes 1:1 which levels the playing field.

2. philosophical education-my interp ensures comparison of two nuanced ethical theories as opposed to random offense that doesn’t fit underneath a particular framework. My interp is always best since it ensures we’re having a philosophical debate instead one about dropped blips. Phil education is key to the real world, we all have to make decisions and construct arguments when we are older.

## Case

### A2 What even is identity???

Ignore their metaphysical attacks on the idea of personal property and individuality- the NC relies on normative assumptions about humans so it solves.

Christie Tim W. Christie “Natural Separateness: Why Parfit’s Reductionist Account of Persons Fails to Support Consequentialism” Journal of Moral Philosophy 6 (2009) 178–195 JW

I argue that Parfit’s reductionist account of personal identity over time does not offer support for consequentialism. In order to accomplish this goal, I will need to defend the moral significance of the separateness of persons without drawing on controversial metaphysical claims about the nature of personal identity over time. My view will follow the lead of Korsgaard and Johnston. In ‘Personal Identity and the Unity of Agency’, Christine Korsgaard argues that the underlying reasons for an agent to view [themselves] him- or herself as the same agent who ‘will occupy my body in the future’ are practical reasons and not metaphysical ones. 15 There are two sources of practical necessity for agents viewing themselves as one entity at a time. First, having but one body with which to act, we must see ourselves as a unified agent or else fail to meet our basic biological needs (e.g. consume nutrients). Second, there is the practical necessity of adopting a deliberative standpoint. 16 Over time, Korsgaard claims, there is a practical necessity involved with viewing ourselves as a continuing agent: ‘In choosing our careers and in pursuing our friendships and family lives, we both presuppose and construct a continuity of identity and of agency’. 17 Based on these necessary practical concerns, Korsgaard argues that Parfit’s claims about the practical significance of his reductionist account of persons are false because Parfit has assumed that the connection between unity and agency must be metaphysical. 18 The lesson I take from Korsgaard’s criticism of Parfit in relation to the separateness of person is that, like the connection between unity and agency, the separateness of persons need not be metaphysically deep in order for it to be of moral significance.

### “Unequal”

1. T – we need equal ability to *set* ends which requires ownership of objects since choices require interaction with the world, otherwise individuals are dependent which leads to greater inequality
2. T – if there is no such thing as ownership, power is based on arbitrary inequalities – e.g. strong people can steal things and manipulate others - this is a worse form of inequality since morality ought not be based on arbitrary principles since it can not determine desert
3. This just begs the question – not all inequalities are bad

### “Based on Unjust Acquisition”

1. Existence of property rights does not rely on their present instantiation since it doesn’t indict their conceptual legitimacy.
2. T – lack of property rights would mean that the strongest would grab whatever is there, which would lead to unjust acquisition. Property still exists in your world, it’s a question of the appropriate response to it. This outweighs – it’s intrinsic to the concept of property rights, not one instantiation of it.

### “Not Communal”

1. Property rights make humans social beings and give them the ability to deliberate.

McGregor, Joan L., Property Rights and Environmental Protection: Is this Land made for You and Me?. Arizona State Law Journal, Vol. 31, Pp. 391-437, 1999. Available at SSRN: http://ssrn.com/abstract=190189

To be a good citizen is to engage in deliberating about the common interests of the community and to participate in constructing the rules that will bind everyone, including oneself. **If an individual is dependent on another because** he or **she lacks property, then, that person might be too easily influenced** by those he or she is dependent on **and thereby not be able to get the proper critical distance to deliberate about the community's interests. Property "lent independence to individuals** and that independence **enabled them to exercise the autonomous judgment necessary for** their common **self-rule." "** According to this view, property is the material foundation for creating and maintaining the proper social order. In other words, private property is the private basis for the public good.'26 This tradition, whose roots can be traced back to Aristotle, has understood the individual human as an inherently social being, requiring society to develop one's fully human capacities. There is then a kind of interdependency among persons on supporting and maintaining the social and political conditions that are most conducive to human flourishing. Individuals, on this account, owe one another obligations, not by virtue of consent alone, but as an inherent incident of the human condition. Liberal theorists in this tradition argue for obligations to develop and maintain certain kinds of culturally rich societies that facilitate individuals' autonomous development by ensuring an abundant range of opportunities and experiences from which to choose. Society ought to foster the development of individuals' own capacities; having some property is a prerequisite for that development. Since Kant, Hegel, and others within this liberal republican tradition emphasized the social construction of property rights, they would not consequently oppose restrictions for the social good, particularly when that good can be viewed as advancing the interests that the institution of property is designed to promote.'27 For liberals such as Kant and Hegel, **the state is charged with designing a property regime that will facilitate the full development of individuals' capacities.** Liberals of this type, sometimes referred to as welfare liberals, see the state's job as ensuring justice and an environment, or community, conducive to individuals pursuing their own life plan. 2' Property provides the material basis for autonomous self-development, but this conception of personhood only develops within certain kinds of communities.

### “A Social Construct”

1. This is irrelevant – social constructs can still exist
2. External objects of choice can not intrinsically violate freedom of others, so state regulation of it would be unjust
3. Property rights aren’t constructed – they’re a priori. Conceptualizing your ability to set ends requires imagining ability to use objects.

### “Infinitely Regressive” (tomato soup example)”

1. I don't defend labor theory of value which means this is not-applicable; something is owned when an individual asserts a claim to something not already claimed. Claims don't regress forever – the first claim’s determinate.
2. T - The alternative is state acquisition of property which is worse– government claims to things already possessed is more vacuous.
3. T - Anything beyond private property rights leads to conflict over claims to external objects since there is no way to resolve how to interact with the external world
4. Impracticality of property rights is a reason to reject previous instantiations of private property rights, not the concept so this doesn’t affirm

### “We Can’t Pursue Purposes! (Julius)”

#### Innate right necessitates the ability to own objects external to yourself

Ripstein:**[[1]](#footnote-1)**

Innate right is an incomplete account of independence, because it regulates only a person’s entitlement to his or her own person and reputation. This opens the possibility that there could be other means available that a person might use in setting and pursuing purposes. This possibility re- quires a further “postulate,” an extension consistent with but not con- tained in innate right.30 Kant argues that it would be inconsistent with right if usable things could not be rightfully used. The ability to use things for your purposes could be satisfied through a system of usufruct, in which things are borrowed from a common pool for particular uses. How- ever, because of the way that Kant conceives of the relation between hav- ing means and setting ends, permissibly using things is not enough to ex- tend your freedom; it would merely enable you to succeed at some particular purpose or other. [but] Freedom requires that you be able to have usable things fully at your disposal, to use as you see fit, and so to decide which purposes to pursue with them, subject only to such constraints im- posed by the entitlement of others to use whatever usable things they have. Any other arrangement would subject your ability to set your own ends to the choice of others, since they would be entitled to veto any par- ticular use you wished to make of things other than your body. The innate equality of all persons entails that nobody could have standing to limit the freedom of another person, except to protect his or her own independence. Nobody else is deprived of his means simply because you have external things as yours. At most, your use of what is yours deprives him of things that he might wish for, but frustrating the wishes of others is not inconsistent with their freedom, because nobody is entitled to have oth- ers organize their pursuits around his or her wishes. So it must be possi- ble to have external means as your own. All persons are symmetrically situated with respect to innate right; private right introduces the space for an asymmetry, because it allows different people to have different claims. You and I can own different things, and we can stand in different contrac- tual and status relations.

This outweighs – A. It’s impossible to set any ends without property since we must be able actualize desires, but actions require interaction with the external world, B. it’s only potential that private property rights prevent one from access to *any* object; if I can’t own things it’s impossible to act, so property ownership can’t be an intrinsic wrong. C. Even if private property’s bad, our access to it is at worst permissible since property can not intrinsically violate someone else. You’d still negate – to disallow access to an object there must be a violation of freedom associated with possessing it.

1. Ripstein, Arthur. *Force and Freedom: Kant's Legal and Political Philosophy*. Cambridge, MA: Harvard UP, 2009. Print. Hunter College NP, 4/24/15 [↑](#footnote-ref-1)